



MICHAEL F. EASLEY
GOVERNOR

**EXECUTIVE ORDER NO. 149
PROCLAMATION OF A STATE OF DISASTER
FOR THE TOWN OF MOUNT PLEASANT, THE TOWN OF KANNAPOLIS,
AND THE TOWN OF CONCORD**

WHEREAS, I have determined that a State of Disaster, as defined in G.S. §166A-6, exists in the State of North Carolina, specifically the Town of Mount Pleasant, the Town of Kannapolis, and the Town of Concord, as a result of Tropical Storm Fay which produced heavy rains that caused severe flooding August 26 and 27, 2008;

WHEREAS, on August 27, 2008, the Cabarrus County government declared a state of emergency and included three local governments: the Town of Mount Pleasant, the Town of Kannapolis, and the Town of Concord;

WHEREAS, pursuant to N.C.G.S. §166A-6, the criteria for a Type I disaster are met including the following: (1) receipt of the preliminary damage assessment from the Secretary of Crime Control and Public Safety; (2) Cabarrus County declared a local state of emergency pursuant to N.C.G.S. §166A-8 and forwarded a written copy of the declaration to the Governor; (3) The preliminary damage assessment meets or exceeds the criteria established for the Small Business Administration Disaster Loan Program pursuant to 13 C.F.R. Part 123 or meets or exceeds the State infrastructure criteria set out in G.S. 166A-6.01(b)(2)a.; and (4) a major disaster declaration by the President of the United States pursuant to the Stafford Act has not been declared.

NOW, THEREFORE, pursuant to the authority vested in me as Governor by the Constitution and the laws of the State of North Carolina, **IT IS ORDERED:**

Section 1. Pursuant to G. S. §166A-6, a State of Disaster is hereby declared for the Town of Mount Pleasant, the Town of Kannapolis, and the Town of Concord.

Section 2. State and local government entities and agencies are hereby ordered to cooperate in the implementation of the provisions of this proclamation and the provisions of the North Carolina Emergency Operations Plan.

Section 3. Bryan E. Beatty, Secretary of Crime Control and Public Safety, and/or his designee, is hereby delegated all power and authority granted to me and required of me by Chapter 166A of the General Statutes for the purpose of implementing the said Emergency Operations Plan and to take such further action as is necessary to promote and secure the safety and protection of the populace in North Carolina.

Section 4. Further, Bryan E. Beatty, Secretary of Crime Control and Public Safety, as chief coordinating officer for the State of North Carolina, shall exercise the powers prescribed in N.C.G. S. §143B-476.

Section 5. I authorize this proclamation: (a) to be distributed to the news media and other organizations calculated to bring its contents to the attention of the general public; (b) unless the circumstances of the state of emergency prevent or impede, to be promptly filed with the Secretary of Crime Control and Public Safety, the Secretary of State, and the clerks of superior court in the counties to which it applies; and (c) to be distributed to others as necessary to assure proper implementation of this proclamation.

Section 6. This Type I Disaster Declaration shall expire 30 days after issuance of the state of disaster and Type I disaster proclamation for the Town of Mount Pleasant, the Town of Kannapolis, and the Town of Concord unless renewed by the Governor or the General Assembly. Such renewals may be made in increments of 30 days each, not to exceed a total of 120 days from the date of first issuance. The Joint Legislative Commission on Governmental Operations shall be notified prior to the issuance of any renewal of a Type I disaster declaration.

IN WITNESS WHEREOF, I have hereunto signed my name and affixed the Great Seal of the State of North Carolina at the Capitol in the City of Raleigh, this eighteenth day of December in the year of our Lord two thousand and eight, and of the Independence of the United States of America the two hundred and thirty-third.



Michael F. Easley
Governor

ATTEST:

Elaine F. Marshall
Secretary of State